

Congress of the United States
Washington, DC 20515

December 6, 2021

The Honorable Gretchen Whitmer
Governor of Michigan
P.O. Box 30013
Lansing, Michigan 48909

The Honorable Dana Nessel
Attorney General of Michigan
525 W. Ottawa St.
P.O. Box 30212
Lansing, MI 48909

Dear Governor Whitmer and Attorney General Nessel,

As Members of Congress representing communities across Michigan, we write to call upon the State of Michigan to join the ongoing legal action against the Centers for Medicare and Medicaid Services' Omnibus COVID-19 Health Care Staff Vaccination (CMS-3415-IFC) rule, and to highlight the harm this mandate will do to communities and health care providers, especially in rural areas.

Our providers and health workers have faced unprecedented challenges during the pandemic and have risen to the occasion – serving on the front lines of our fight against COVID-19 while continuing to provide important medical services for their communities. This is despite the fact that many providers were already operating on shoe-string budgets and facing extreme staffing shortages well before the pandemic.

There are no backup hospitals for many Michigan communities – a staffing disruption at a single rural provider can have profound effects on the health outcomes of patients in multiple counties spread over hundreds of miles. There simply is not the funding or available workforce in many areas needed to be able to withstand the disruptions caused by the CMS vaccine mandate. This means that unless this shortsighted mandate is opposed, it will be rural and remote communities in Michigan that will be hurt the most.

In order to protect the livelihoods of health care workers and ensure access to care for hundreds of thousands of Michiganders, Michigan must join with the dozens of other states working to overturn the CMS vaccine rule in federal court. These efforts have already seen significant results, with multiple U.S. District Courts ordering preliminary injunctions against the CMS rule across the country.

As U.S. District Judge Matthew T. Schelp stated, “Congress did not clearly authorize CMS to enact this politically and economically vast, federalism-altering, and boundary-pushing mandate, which Supreme Court precedent requires.” We therefore call upon the State of Michigan to

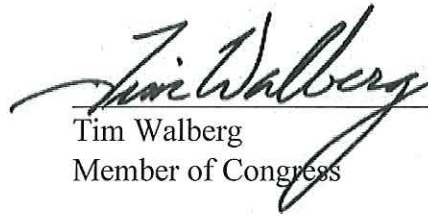
accept the unique realities facing rural and remote health providers and oppose the CMS vaccine rule. The state must also make every effort to actively engage with rural providers and address the concerns they have raised regarding this mandate. Failure to do so will jeopardize access to health care for millions of Michiganders.

We look forward to working with you to address this critical issue.

Sincerely,



Jack Bergman
Member of Congress



Tim Walberg
Member of Congress



Lisa McClain
Member of Congress



John Moolenaar
Member of Congress



Bill Huizenga
Member of Congress



Peter Meijer
Member of Congress



Fred Upton
Member of Congress